

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	No. 7:14-MJ-1209-RJ-1
)	
TERRANCE DEMEL HURVEY)	

UNITED STATES OF AMERICA)	
)	
v.)	No. 7:14-MJ-1210-RJ-1
)	
ANTHONY GUY CALLOWAY)	

ORDER

These matters come before the court on the motions of the government (1) to continue the bench trial in the case of *United States v. Anthony Guy Calloway*, 7:14-MJ-1210-RJ-1, (“the Calloway Matter”), currently scheduled to commence before the undersigned on July 27, 2015, and (2) to join the Calloway Matter and the case of *United States v. Terrance Demel Hurvey*, 7:14-MJ-1209-RJ-1 (“the Hurvey Matter”).

The government seeks a continuance of the trial in the Calloway Matter to a date after the court’s next misdemeanor term of court, August 5, 2015. The government seeks a continuance in order to secure the presence of Terrance Hurvey (“Hurvey”), an apparent material witness in the Calloway Matter and a defendant in the Hurvey Matter. The Hurvey Matter has not proceeded materially beyond its preliminary stages, without Hurvey’s initial appearance being held before the court, in part because Hurvey has failed to appear at court proceedings, which has prompted the court to order him to show cause.

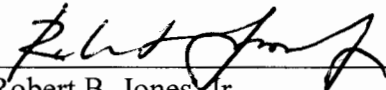
Hurvey and Calloway have each been charged in separate criminal informations with the

offense of larceny of personal property, consisting of construction metal and wire, aboard Marine Corps Base Camp Lejeune on or about the same dates. The government has asserted that Calloway and Hurvey acted together in the alleged conduct and that these two cases should not proceed separately. Indeed, on July 15, 2015, the government filed a motion to join these two cases for trial. The government indicates that it has made contact with Hurvey and that he has stated he will attend the next term of misdemeanor court.

For good cause shown the bench trial in the Calloway Matter is continued to **August 26, 2015**. This court finds that the ends of justice served by granting this continuance outweigh the best interests of the public and defendant in a speedy trial. It is therefore ordered further that the period of delay necessitated by this continuance is excluded from speedy trial computation pursuant to 18 U.S.C. § 3161(h)(7)(A).

The court reserves ruling on the motion to join the Calloway Matter and the Hurvey Matter for trial and will take up this motion at the court's August 5, 2015 term of court.

So ordered, the 20th day of July 2015.


Robert B. Jones, Jr.
United States Magistrate Judge